

Form-A

FORM OF ORDER SHEET

Court of Khyber Pakhtunkhwa Service Tribunal Peshawar

Service Appeal No. 344/2024

Sr.No.	Date of order Proceedings	Order or other proceedings with signature of judge
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1.

2.

3.

1.

4/3/2024

The appeal of Khalid Khan resubmitted today by Mr. Umair Azam Khan advocate. It is fixed for hearing before Single Bench Bench at Peshawar on 05/03/2024. Parcha Peshi is given to counsel for the applicant.

By the order of Chairman



REGISTRAR

The appeal of Khalid Khan received today i.e on 16.02.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Appeal has not been flagged /marked with annexures marks.
- 2- Check list is not attached with the appeal.
- 3- Annexures of the appeal are unattested.
- 4- Memorandum of appeal is not signed by the appellant.
- 5- Affidavit is not attested by the Oath Commissioner.
- 6- Copy of departmental appeal is not attached with the appeal be placed on it.
- 7- Page Nos. 6, 7, 8, 9 & 14 of the appeal are illegible be replaced by legible/better one.
- 8- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal in file covers.

No. 376 /S.T.

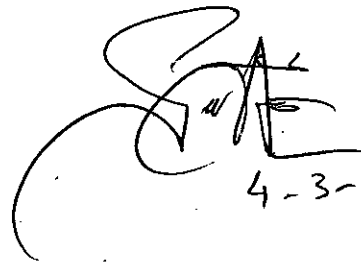
DI. 19/2 /2024.


19/2/24
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Umair Zaman Adv.
High Court at Peshawar.

Note:

All the objection are removed
positively.


4-3-24

①

BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER

PAKHTUNKHWA PESHAWAR.

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 344/2024

Diary No. 11201

Dated 16-02-2024

Khalid Khan S/O Janab Ali R/O Muhalla Juna Khail, Tehsil & District
Mardan, Ex Constable No. 153 Elite Force Khyber Pakhtunkhwa.

...Appellant

VERSUS

1. Inspector General of Police Khyber Pakhtunkhwa.
2. Addl: Inspector General of Police Elite Force Khyber Pakhtunkhwa.
3. Deputy Commandant Elite Force Khyber Pakhtunkhwa, Peshawar.

...Respondents

SERVICE APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS ACT, 1974, AGAINST THE IMPUGNED ORDER OF RESPONDENT NO. 04, DATED 13-05-2014, WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE WITH IMMEDIATE EFFECT WITHOUT ANY EVIDENCE, NORMS AND LAW AND AGAINST THE IMPUGNED ORDER DATED 26-12-2023, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED BY RESPONDENT NO. 02, AND AGAINST THE IMPUGNED ORDER DATED 17-01-2024, WHEREBY THE REVISION OF THE APPELLANT WAS REJECTED BY RESPONDENT NO. 01.

Prayers in the petition;

ON THE ACCEPTANCE OF THIS PETITION THE IMPUGNED ORDERS DATED 13-05-2014, 26-12-2023 AND 17-01-2024, MAY PLEASE BE SET ASIDE BEING ILLEGAL AND UNLAWFUL AND THE APPELLANT MAY BE REINSTATED IN HIS SERVICES WITH ALL BACK BENEFITS AND WAGES OF HIS SERVICE

Respectfully Sheweth:

1. That addresses of the parties have correctly been given above for the purpose of service by this Honorable Tribunal.
2. That the Appellant was appointed as constable in Khyber Pakhtunkhwa Police in the year 2007 and performed his duties with utmost diligence. Till the date of the impugned dismissal the Appellant has served the police department without any complaint from any corner whatsoever.
3. That briefly stating while the Appellant was serving in Elite Force Mardan Region in platoon no. 30, a bogus, fake and frivolous FIR no. 619 dated 18-12-2013 was lodged against the appellant in Police station Sabzi Mandi Islamabad. (FIR is attached as Annexure "A").
4. That the appellant in order to safe guard the lives of his family from the worth and consequences of the fake, bogus, frivolous, baseless and illegal FIR as mentioned above, moved along with his family to a safe place.
5. That in the meantime the respondent no. 05 issued a baseless and illegal Charge sheet along with summary of allegations, which were never served upon the appellant, wherein vague and unfounded allegations were leveled against the appellant. At the back of the appellant a so called departmental proceedings were initiated against the appellant ignoring the law and principles of natural justice and the appellant was condemned unheard and a so called final show cause notice was issued against the appellant, which was never served upon the appellant and the appellant was dismissed from service through impugned order dated 13-05-2014, ignoring the norms of the law and facts. (Copies of the Charge sheet along with summary of allegations, Final show cause notice and impugned dismissal order dated 13-05-2014 are attached as Annexure "B", "C" and "D" respectively).
6. That the appellant after passing through very tough times due to the baseless and frivolous FIR as mentioned above, filed a bail application before the Additional District and Session Judge, West- Islamabad and later on the appellant has been acquitted through judgment dated 27-10-2023. (Copies of

the Bail Application and acquittal Judgment dated 27-10-2023 are attached as Annexure "E" and "F").

7. That after acquittal in the above mentioned FIR, the appellant, aggrieved with impugned order dated 13.05.2014 whereby major penalty of dismissal from service was imposed on the appellant, the appellant submitted departmental appeal which was rejected by impugned order dated 26.12.2023 and then the revision was also rejected through impugned order dated 17-01-2024, information/copy of which was received by the appellant himself through his own means on dated 24-01-2024.(Copies of departmental appeal, impugned order dated 26-12-2023 and impugned order dated 17-01-2023 are attached as Annexure "G", "H" and I).
8. That impugned orders dated 13-05-2013, 26-12-2023 and 17-01-2024 are not sustainable in eyes of law as same have been passed without considering the facts and law and is liable to be set-aside being capricious, arbitrary and illegal inter-alia on the following grounds.

GROUND:

- A. That the charges leveled against the Appellant in the alleged and so called Charge sheet and summary of allegations along with final show cause notice are vague, unspecific and not based evidence and record.
- B. That no violation of any rule has been referred in the alleged show cause notice. This act of the respondents affects the defense of the petitioner.
- C. That no proper inquiry was conducted nor were the principles of natural justice observed during the so called proceedings.
- D. That no chance of furnishing of defense and refuting of allegations was provided to the Appellant and thus was condemned unheard.
- E. That despite of requests of the appellant no inquiry proceedings (so called) and reports were provided to the appellant to furnish defense on the basis of the said findings and reports of the alleged proceedings.
- F. That the subject impugned orders are without lawful authority, evidence and as such are illegal.

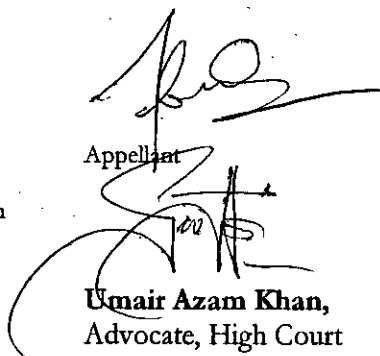
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- G. That during the alleged departmental proceedings, even the presence of the appellant was not looked into and was not considered for the issuance of the subject impugned orders.
- H. That the previous record of the appellant in the respondent department is crystal clear and not even a single chance of complaint has been given to the respondents by the appellant.
- I. That the whole proceedings including the said impugned orders were conducted by the incompetent authority, having no competency under the law.
- J. That the impugned orders was issued on the bases of a so called inquiry, which was conducted on the back of the appellant and no opportunity, was provided to the petitioner to produce defense and cross examination. The findings and report of the so called inquiry were kept back to surprise the appellant at the hour of its need.

It is therefore most humbly prayed that on acceptance of this appeal for the detailed reasons given above, the impugned orders dated 13-05-2014, 26-12-2023 and 17-1-2024, may please be set aside and the appellant be reinstated in his service with all back benefits/ancillary benefits of his service, any other remedy which this Hon'ble Tribunal deems fit may also be granted.

Appellant

Through


Umair Azam Khan,
Advocate, High Court

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**BEFORE THE HONOURABLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR.**

Service Appeal No. _____/2024

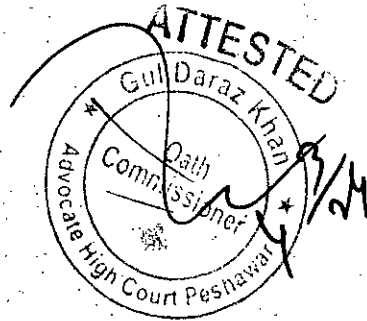
Khalid Khan

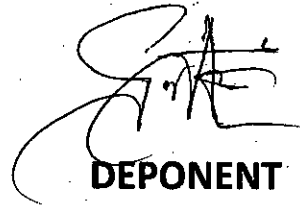
VERSUS

Inspector General of Police Khyber Pakhtunkhwa Etc.

AFFIDAVIT

I, Umair Azam Khan Advocate High Court Peshawar, on the instructions of my client, do hereby solemnly affirm on oath that the contents of this appeal are true and correct to the best of my knowledge, information and belief and nothing has been concealed from this Honorable Court.




DEPONENT

CNIC: 17301-4684245-9

ردیف	تاریخ اور وقت	محل وقوع	مذکورہ واقعہ
1	12-12-11	لاہور	جسٹس (ج) کی موت
2	12-12-11	لاہور	جسٹس (ج) کی موت
3	12-12-11	لاہور	جسٹس (ج) کی موت
4	12-12-11	لاہور	جسٹس (ج) کی موت
5	12-12-11	لاہور	جسٹس (ج) کی موت

(اہلی اطلاع کے تحت)

نوٹ: اطلاع کے لیے روہتہ کا دستخط یا سہرا گھوڑا اور پانچے اور اس تقریر کنندہ (اہلی اطلاع) کے دستخط تصدیق اوتے جائیں۔

بدلتیوں میں قوم چٹان کنڈ عمل جزو میں گھسٹ تحصیل مطلع مردان بیان کیا کہ میں سکوتی ایئر میں ہاااوں۔ میرے تین تینتی جہانی

(1) ایڈیل (2) زر ادیل (3) سادگی پیران لرن مل اور خالد اور ہمالی مردار حسین ولد جبر پانچا کر۔ ایک سال سے مہاشہ ڈاکٹرن اناہم

آپریشن میں NUST پینڈور میں شیکر اور گل خانہ کے پان مردوی کرتے ہیں۔ اور اس وقت کارڈیشن کرانے کے کارڈ میں ر آئی ہے۔ میں

میں روڈن مل اپنے ہائیوں کے پاس آیا ہوا تھا۔ آج پانے ہولے ہمالی سادگی اور خالد اور ہمالی مردار حسین کے سہرا کو ان میں دو جڑو کھانے

کی تیاری کر رہے تھے۔ تقریباً 4:30 بجے دن میرے ہمالی انڈر ایڈیل اور زر ادیل مردوی سے چھٹی کر کے اپنے کارڈے قریب ملنی پک پیچھے چڑھا گیا

راشدہ۔ خالد پیران جناب ملی سٹج پیل 30 پیر اور ڈاکٹر ادیل ولید ملی رحمان سٹج پیل 30 پیر ساکن جزو میں گھسٹ تحصیل مطلع مردان جو کہ میرے

ہائیوں کزل کرنے کی نیت سے ہم صلاح و مشورہ اور کسانوں ہی واقع قبرستان کی دیواری اڈٹ میں گمات لگائے بیٹھے تھے۔ اچانک میرے ہائیوں

پر مارا اور اگلے شور پائی کی آواز سن کر میں میرا ہمالی سادگی اور خالد اور ہمالی مردار حسین کو ارادے باہر لگے تو دیکھا کہ ڈاکٹر ادیل نے اپنے ڈاکٹر

30 پیر سے میرے قریب میرے ہمالی ڈاکٹر ادیل پر کیے جو کہ اسکے سینے میں گا اور وہ چھوٹم چلنے کے بعد قبرستان کی دیوار کے ساتھ کر گیا اور دوش پر ہی

وفاقت پایا۔ خالد خان اور رشید نے اپنا قتل سے میرے ہمالی انڈر ایڈیل پر میرے قریب میرے ہمالی کی چھاتی پر گئے جو صوبہ پر ہی

کر گیا۔ اور رشید ڈبھی ہو گیا۔ اسی دوران ہم نے لڑان کو پکڑنے کی کوشش کی میرے ہولے ہمالی سادگی نے خالد کے بازو کو پکڑا اور ہسپتال اسکے

ہاتھ سے کر گیا۔ جبکہ میگزین اسکے ہاتھ میں رہ گئی۔ سونج پرانی لوگ جنج اور گئے۔ پیل کسی نامعلوم نے اٹھایا۔ میں اپنے ہائیوں کی پرگی تو لڑان

فرار ہونے میں کامیاب ہو گئے۔ دوڑوں ہائیوں کو خالد اور ہمالی مردار حسین اور اپنے ہولے ہمالی سادگی کی مدد سے سیوں میں اٹھ کر ہسپتال

بیٹھایا۔ پھر سی دیر بعد میرا اور ہمالی انڈر ایڈیل کسی شہادت کی تاب نہ لاتے اور نوت ہو گیا۔ لڑان ذکر وہ لانے باہم صابغ مشورہ ہو کر میرے

ہائیوں کو ہاتھ لگایا ہے۔ جب متاویب ہے کہ لڑان کے ساتھ پہلے میں آئی گاؤں میں گل کی دشمنی بل رہا ہے۔ لڑان راشد خان خالد خان ہسپتال

جسٹس ملی ڈاکٹر ادیل رحمان سکنڈے جزو میں گھسٹ تحصیل مطلع مردان کے ظلال ڈیڈ اور ان قانونی کارروائی میں لائی جائے اور وہ خود بخود

اور سادگی 0346-65493164 تصدیق دستخط کردہ انگریزی میں ایئر سیٹنگ ہیری منڈی کردہ ای پولیس اطلاع ڈوہ پاکر میں

محمد اسحاق / 3172۔ لڑا ایڈیل / 2476 ہسپتال پہنچا تو بیان بالاساکن نے تقریری دیا جو شہد تقریر میں لایا گیا۔ ذکرہ کو چہ

کرنا یا کرنا چاہا گیا۔ جس نے صحت بیان کو درست تسلیم کرتے اور ذمہ دین خود دستخط کردہ اور کر دینے جن کی میں تصدیق کرتا ہوں۔ متوال

نکار ملی اور زر ادیل کی علیحدہ علیحدہ درخواست برائے پیشا دلہ بخشہ صورت حال تحریر کر کے خاے CMO صاحب گیس۔ بیان بالاسادے حالات

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واقعات سے درست صورت جرم 302/34-ت پائی جارہی ہے۔ بیان بالا شکل استغاثہ بزمیں تا کی مقدمہ بالا نمبر اسحاآں 13672/سہاں تا
مع ورج رجسٹر کر کے نمبر معلوم سے آگا کیا جائے میں مسروف تفتیش ہوں دستخط جروف اگریزی محمد بشیر SI تھانہ بزرگی منڈکی اسلام
آبہ 18-12-2013 انہر ہسپتال ایر مشی بوت 09/45 بجے رات از تھانہ حسب آمد استغاثہ رپورٹ ابتدائی اطلاعی حد الجرم ہوں جانب
SHO صاحب جرم تھانہ میں موجود ہیں حکو اطلاع اہت امدراج وقوعہ ہذا کی جارہی ہے بعد تکمیل ریکارڈ تھانہ نقول FIR جا:جا:جانب انسران
پانڈ ریو کی شکل رپورٹ ارسال کرے اصل استغاثہ کو FIR باہت بذریعہ کاشیل SI صاحب بمراڈ تفتیش ارسال ہے۔

محمد الطہر خان SI تھانہ بزرگی منڈکی

18-12-2013

68

11/12/13

Ameer

(B)

(7)

CHARGE SHEET

I, Haroon Rashid Babar superintendent of Police Elite Force, Peshawar Region as competent authority, hereby charge you Constable Khalid Khan No.153 Platoon No.30 of Elite Force as follows:

1. You are involved in case FIR No.619, dated 18.12.2013 PPC 302/34 Police Station Sabzi Mandi Islamabad.


2. By reason of the above, you appear to be guilty of misconduct under the Police Rules (amended vide NWFP gazette, 27th January 1976) and have rendered yourself liable to all or any of the penalties specified in the said rules.

3. You are therefore, directed to submit your defense within seven days of the receipt of this Charge Sheet to the Enquiry Officer.

4. Your written defense, if any, should reach the Enquiry Officer within the specified period, failing which, it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

5. You are directed to intimate whether you desire to be heard in person.

6. A statement of allegation is enclosed.


HAROON-UR-RASHID BABAR
Superintendent of Police Elite Force
Peshawar Zone

ATTESTED

CHARGE SHEET

7A

I, Haroon Rashid Babar Superintendent of Police Elite Force, Peshawar Region as competent authority, hereby charge you constable Khalid Khan No 153 Platoon No 30 of Elite Force as follows:

You are involved in case FIR No 619, dated 18.12.2013 PPC 302/34 Police Station Shabzi Mandi Islamabad.

By reason of the above, you appear to be guilty of misconduct under the Police Rules (amended vide NWFP gazette, 27th January 1976) and have rendered yourself liable to all or any of the penalties specified in the said rules.

You are therefore, directed to submit your defense within seven days of the receipt of this Charge Sheet to the Enquiry officer.

Your written defense, if any should reach the Enquiry Officer within the specified period, failing which, it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

You are directed to intimate whether you desire to be heard in person.

A Statement of allegation is enclosed.

HAROON-UR-RASHID BABAR

Superintendent of Police Elite Force

Peshawar Zone

ATTESTED

(8)

SUMMARY OF ALLEGATIONS

L. Haroon Rashid Babar superintendent of Police Elite Force, Peshawar Region as competent authority, am of the opinion that Constable Khalid Khan No.153 has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Police Rules (amended vide NWFP gazette, 27th January 1976).

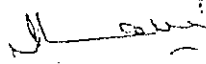
SUMMARY OF ALLEGATIONS

He is involved in case FIR No.619, dated 18.12.2013 PPC 302/34 Police Station Sabzi Mandi Islamabad.

2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations Mr. Pervaiz Khan DSP Elite Force Mardan is appointed as Enquiry Officer.

3. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within (25 days) after the receipt of this order.

4. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.


HAROON-UR-RASHID BABAR
Superintendent of Police Elite Force
Peshawar Zone

No. 171-176.../R/SP/EF dated Peshawar the 26/12/2013.

Copy of the above is forwarded to the:-


1. Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar.
2. Deputy Superintendent Elite Force Mardan.
3. Accountant, Elite Force Khyber Pakhtunkhwa Peshawar.
4. SRC, Elite Force Khyber Pakhtunkhwa Peshawar.
5. PC Khalid Khan No.153 of Elite Force through Moharrar.

MHC Elite

Severed on above
Constable:


DSP EF MARDAN

09/01/2014


HAROON-UR-RASHID BABAR
Superintendent of Police Elite Force
Peshawar Zone

ATTESTED

SA

SUMMARY OF ALLEGATIONS

I, Haroon Rashid Babar superintendent of Police Elite Force, Peshawar Region as competent authority, am of the opinion that Constable Khalid Khan No.153 has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Police Rules (amended vide NWFP gazette, 27th January 1976).

SUMMARY OF ALLEGATIONS

He is involved in case FIR No.619, dated 18.12.2013 PPC 302/34 Police Station Sabzi Mandi Islamabad.

2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations Mr. Pervaiz Khan DSP Elite Force Mardan is appointed as inquiry Officer.
3. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within (25 days) after the receipt of this order.
4. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.

HAROON-UR-RASHID BABAR

Superintendent of Police Elite Force
Peshawar Zone

No. 171-176/R/SP/EF dated Peshawar the 26.12.2013.

Copy of the above is forwarded to the:-

1. Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar.
2. Deputy Superintendent Elite Force Mardan.
3. Accountant, Elite Force Khyber Pakhtunkhwa Peshawar.
4. SRC, Elite Force Khyber Pakhtunkhwa Peshawar.
5. FC Khalid Khan No 153 of Elite Force through Moharrar.

HAROON-UR-RASHID BABAR

Superintendent of Police Elite Force
Peshawar Zone

ATTESTED

FINAL SHOW CAUSE NOTICE

Annex 2

(C)
(9)

I, Sajid Khan Mohmand, Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar as competent authority under Police Rules (amended vide NWFP gazette, 27th January 1976), do hereby serve you Constable Khalid Khan No. 153, Platoon No. 30 of Elite Force as follows;

You were allegedly involved in case FIR No. 619, dated 18.12.2013 U/S 302/34 PPC Police Station Sabzi Mandi, Islamabad. And also remained absent from duty without any leave or prior permission w.e. from 19.12.2013 till this date.

i. That consequent upon the completion of enquiry conducted against you by Mr. Pervez Khan DSP/Elite Force Mardan, you were given full opportunity of hearing but failed to satisfy the enquiry officer.

ii. On going through the finding and recommendation of the enquiry officer, the material available on record, I am satisfied that you have committed the omission/commission specified in Police Rules (amended vide NWFP gazette, 27th January 1976) and charges leveled against you have been established beyond any doubt.

2. As a result therefore, I, Sajid Khan Mohmand, Deputy Commandant Elite Force, Khyber Pakhtunkhwa Peshawar as competent authority have tentatively decided to impose major penalty upon you including dismissal from service, under Police Rules (amended vide NWFP gazette, 27th January 1976) of the said ordinance.

3. You are therefore, directed to show cause as to why the aforesaid penalty should not be imposed upon you.

4. If no reply to this show cause notice is received within seven days of its delivery, in the normal course of circumstances, it shall be presumed that you have no defense to put and in that case an ex-parte action shall be taken against you.

5. A copy of the finding of the Enquiry Officer is enclosed.

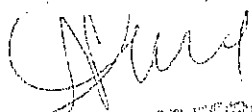
(SAJID KHAN MOHMAND)
Deputy Commandant

Elite Force Khyber Pakhtunkhwa Peshawar

No. 2172 /EF, dated Peshawar the 14/02/2014.

Constable Mohammad Khalid No. 153 of Elite Force through reader DSP/Elite Mardan* at his home address.

ATTESTED


DSP ELITE FORCE
MARDAN

FINAL SHOW CAUSE NOTICE

9A

I, Sajid Khan Molumand, Deputy Commandant Elite Force Khyber Pakdemir shawar as competent authority under Police Rules (amended vide NWFP gazette, 27 anuary 1976), do hereby serve you Constable Khalid Khan No. 153, Platoon No. 10 of Elite Force as follows;

You were allegedly involved in case FIR. No. 619, dated 18.12.2013 US 302/34 PPC Police Station Sabzi Mandi. Islamabad. And also remained absent from duty without any leave or prior permission w.e.from 19.12.2013 till this date.

i. That consequent, upon the completion of enquiry conducted against you by Mr. Pervez Khan DSP/Elite Force Mardan, you were given full opportunity of hearing bun failed to satisfy the enquiry officer.

ii. On going through the finding and recommendation of the enquiry officer, the material available on record, I am satisfied that you have committed the omission/commission specified in Police Rules (amended vide NWFP gazette, 27th January 1976) and charges leveled lost you have been established beyond any doubt.

2. As a result therefore, I, Sajid Khan Mohmand, Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar as competent authority have tentatively decided to impose major penalty upon you including dismissal from service under Police Rules (Amended vide NWEF gazette, 27th January 1976) of the said ordinance.

3. You are therefore, directed to slow cause as to why the aforesaid penalty should not be imposed upon you.

4. if no reply to this show cause notice is received within seven even days of its d elivery, in the normal course of circumstances, it shall be presumed that you have no defense to put and in that case an ex-parte action shall be taken against you.

5. A Copy of the finding of the Enquiry Officer is enclosed.

(SAJID KHAN MOHMAND)

Deputy Commandant

Elite Force Khyber Pakhtunkhwa Peshawar

No. 2172/EF, dated Peshawar the 14.02.2014.

Constable Mohammad Khalid No 153 of Elite Force through reader DSP / Elite Mardan at his home address.

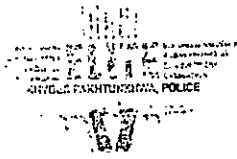
ATTESTED

(14)

Annexure

D

9B



Office of the Deputy Commandant
Elite Force Khyber Pakhtunkhwa Peshawar



No. 6170-76/EF

Dated 13/05/2014.

ORDER

Constable Khalid Khan No. 153, Platoon No. 30 of Elite Force Khyber Pakhtunkhwa was found guilty of gross misconduct on the following grounds.

He was allegedly involved in case FIR No. 619, dated 18.12.2013 U/S 302/34 PPC Police Station Sabzi Mandi Islamabad. And also remained absent from duty without any leave or prior permission w.c. from 19.12.2013 till this date. Departmental proceeding was accordingly initiated against him and DSP/Elite Force Mardan was appointed as enquiry officer but he did not appear before the enquiry officer. A Final Show Cause Notice was also issued to him but he failed to reply.

Therefore, I, Sajid Khan Mohmand, Deputy Commandant, Elite Force Khyber Pakhtunkhwa Peshawar as competent authority, impose major penalty of dismissal from service upon him, with immediate effect.

Period he remained absent from duty is treated as absence, without pay.

(SAJID KHAN MOHMAND)
Deputy Commandant
Elite Force Khyber Pakhtunkhwa Peshawar.

Copy of the above is forwarded to the:-

1. Deputy Superintendent of Police, Elite Force, Mardan.
2. RI, Elite Force Khyber Pakhtunkhwa Peshawar.
3. Accountant, Elite Force Khyber Pakhtunkhwa Peshawar.
4. Incharge Kot/OASI, Elite Force Khyber Pakhtunkhwa Peshawar.
5. SRC/FMC, Elite Force Khyber Pakhtunkhwa Peshawar.

ATTESTED

Annexure

(B)
(E)
(10)

Sessions Judge, West
Islamabad
03 MAR 2023

**BEFORE THE HONOURABLE SESSIONS JUDGE
ISLAMABAD (WEST)**

1. Muhammad Khalid
2. Muhammad Ejaz
Sons of Jarab Ali, residents of Mohallah Juna Khail
Gumbat, Tehsil & District Mardan.

.....Petitioners

VERSUS

1. The State
2. Sabir Ali son of Farman Ali resident of Mohallah Jona
Khel, Gumbat, Tehsil & District Mardan.

.....Respondents

PETITION U/S 497 OF CR.P.C FOR GRANT OF BAIL

before
ARREST
subal

**IN CASE FIR NO. 619, DATED 18.12.2013, OFFENCE
U/S 302, 34 PPC, REGISTERED AT P.S SABZI MANDI,
ISLAMABAD.**

Respectfully Sheweth:-

1. Briefly the allegation against the petitioner are that they alongwith co-accused (since acquitted) fired at deceased Zawar Ali and Nazar Ali, and murdered them.
2. That the petitioners alongwith their brother were falsely involved in the case malafidely by the complainant.
3. That the petitioners are entitled for concession of bail before arrest on the following amongst the other:-

GROUND

**ATTACHED
ATTACHED**

(16)

IN THE COURT OF TAHIR ABBAS SIPRA,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
WEST-ISLAMABAD.

Muhammad Khalid etc. Vs. The State.

*CASE FIR No.619/2013, Dated 18-12-2013,
Offence U/S 302/34 PPC, P. S. Sabzi Mandi,
Islamabad.*

PETITION UNDER SECTION 498 CR.P.C.


*Present: Accused/petitioners of namely Muhammad Khalid and
Muhammad Ejaz along with their counsel for the
petitioner.*

*ORDER:
03-3-2023.*

*As per certificate given, this is first pre-arrest bail
petition of the accused/petitioners. Be registered.*

*2. Accused/petitioners of namely Muhammad Khalid and
Muhammad Ejaz, have sought their pre-arrest bail in FIR
No.619/2013, Dated 18-12-2013, Offence U/S 302/34 PPC, P. S. Sabzi
Mandi, Islamabad, allegedly based upon false and frivolous allegations,
malafide intention and ulterior motive on the part of police as well as
the complainant. Keeping in view the contents of instant petition,
affidavit and preliminary arguments advanced by the learned counsel
for the accused/petitioners, the accused/petitioners are hereby
admitted to pre-arrest bail till the next date of hearing i.e. 10-3-
2023 subject to furnishing of bail bonds in the sum of Rs.50,000/-
each with one surety each in the like amount to the satisfaction of
this court. Notice be also issued to the State and complainant for
record and arguments for the dated fixed. This order is subject to all
just exceptions.*

*Announced
03-3-2023.*


Tahir Abbas Sipra,
Additional Sessions Judge,
West-Islamabad.

ATTESTED

Muhammad Khalid etc... VS ... The State.

12

22-3-2023.


Present: Accused/petitioners Muhammad Khalid & Muhammad Ejaz,
on ad-interim pre-arrest bail.
Mr. Basharat Ullah Khan Advocate, learned counsel for the
petitioners.
Complainant alongwith PW present.
Abrar Hussain SI/I.O alongwith police record.

Through instant bail petition, Accused/petitioners
Muhammad Khalid & Muhammad Ejaz, have sought for their pre-arrest
bail in case FIR No.619, dated 18-12-2013, U/Ss. 302/34 PPC, Police
Station Sabzi Mandi, Islamabad, which was got registered by one Sabir
Ali, complainant.

At the very outset, complainant of the case Sabir Ali, has
submitted copy of his affidavit Mark-A and has stated that the present
accused/petitioners were nominated due to suspicion and they are not
involved in the occurrence and are innocent. The other PW M. Jaz Ali
has also submitted his affidavit Mark-B and has also stated that the
present accused/petitioners are not involved in the occurrence. The
complainant has also submitted the affidavit of other PWs Sardar
Hassan as Mark-C. The I.O. of the case has also stated that the
complainant as well as the PWs have exonerated the present
accused/petitioners and in the light of their affidavits and their
statements, the arrest of the present accused/petitioners is not
required. Their signatures have been obtained upon the margin of the
order sheet.

At this stage, learned counsel for the accused/petitioners
wants to withdraw the instant bail petition. He has put his signatures
at the margin of the order sheet. This being so, this pre-arrest bail
petition is hereby dismissed as withdrawn. File be consigned to record
room after its due completion.

Announced
22-3-2023.


(Tanvir Abbas Sipra)
Addl. Sessions Judge,
Islamabad-West.

ATTESTED

164

IN THE COURT OF MR. TAHIR ABBAS SIPRA,
ADDL: SESSION JUDGE, ISLAMABAD-WEST.

Sessions Case No. of 2013.
Sessions Trial No. 26 of 2023.

The State.

Versus.

- 1 Khalid Khan S/o Janab Ali R/o Mohallah Juna Khail, Tehsil & District Mardan.
- 2 Ejaz Ali S/o Ali Rehman R/o Mohallah Juna Khail, Tehsil & District Mardan.

FIR NO.619/2013 DATED 18-12-2013, REGISTERED U/S
302/34 PPC, P.S. SABZI MANDI, ISLAMABAD.

27-10-2023.

Present: Accused Khalid Khan and Ejaz Ali on bail.
Learned counsel for the accused.
Learned DDP for State.
Complainant in person.

JUDGMENT

Facts in brief are that on 18-10-2013, Sabir Ali submitted written application/complaint before the Police alleging therein that his three real brothers namely Nazaar Ali, Zawar Ali, Moaaz Ali and his cousin Sardar Hussain, are working as labourer with contractor Gul Khan at Abdullah Town, since last one year and are residing in a quarter on rent at Dhoke Qadar Bakhsh, Mauza Natha. Complainant had also come to his brother since two days prior. On the same day i.e. 18-12-2013, Moaaz Ali and Sardar Hussain were preparing food in quarter when Nazaar Ali and Zawar returned from work at about 4.30 p.m. and when they reached at open place near quarter, meanwhile, Rashid, Khalid and Ejaz Ali, who were already present there with Pistols attacked upon them. The

ATTESTED

ATTESTED

11 NOV 2023
 Examiner Copy
 District & Sessions Court
 Islamabad

(Signature)
 TAHIR ABBAS SIPRA
 Addl. Sessions Judge-West
 Islamabad

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- 2 -

complainant Moaaz Ali and Sardar Hussain, came out of quarter after hearing noise. Accused Ejaz Ali, opened straight fire with his Pistol 30 upon Zavar Ali and one fire hit his chest. He fell down and died on the spot. Khalid Khan and Rashid accused opened fires upon Nazaar Ali, who also fell down and succumbed to the injuries later on. Moaaz Ali, tried to apprehend accused Khalid but the Pistol of accused Khalid fell down, whereas, its magazine remained in the hand of Moaaz Ali. The accused then succeeded to flee away. The motive behind the occurrence is previous enmity between the parties in village. At this the instant case was registered.

2. During investigation, accused persons Khalid Khan and Ejaz Ali were arrested and then the report u/s 173 Cr.PC was submitted in the Court. Charge was framed against accused Khalid Khan and Ejaz Ali, to which they pleaded not guilty and claimed trial. Upon which prosecution evidence was summoned. The prosecution produced 03 witnesses, which are as follows.

PW-1 Sabir Ali (complainant), (He deposed that his three real brothers namely Nazaar Ali, Zavar Ali, Moaaz Ali and his cousin Sardar Hussain, were residing at Dhoke Qadar Bakhsh, Mauza Natha, in a rented Quarter and they were working as labourer with contractor Gul Khan at Abdullah Town, Islamabad. He had also come to his brothers two days prior on 18-12-2013. On the said fateful day i.e. 18-12-2013, his younger brother Moaaz Ullah and cousin Sardar Hussain, were preparing food in the said quarter. At about 4.30 p.m. his brothers Nazaar Ali and Sawar Ali, returned from

EXAMINER Copying Branch
District & Sessions Courts,
(West), Islamabad.

BBAS SIPPRA
Sessions Judge - West
Islamabad

NOTED
17/12/2023


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their work and when they reached in an open area near the said quarter, some unknown accused while armed with Pistols opened straight firing upon them causing their murder. His younger brother Moaaz, who had come out of the quarter on hearing the noise of firing tried to apprehend the accused but could not succeeded. However, Moaaz snatched Pistol from one of the unknown accused and the accused himself fled away alongwith magazine. The other accused also fled away after the occurrence. Some unknown accused committed murder of his brothers Zavar Ali and Nazaar Ali. The accused who committed the occurrence were seen by them properly but they never nominated the present accused. The police obtained his signatures upon a plain paper. The present accused Khalid Khan and Ejaz, were never present at the place of occurrence and they never opened any fire or caused any injury. They are innocent and he has no objection upon their acquittal as well as he does not want to pursue the case to the extent of accused Khalid Khan and Ejaz Ali).

PW-2

Moaaz Ali, (He deposed that he alongwith his brothers Nazaar Ali, Zavar Ali and his cousin Sardar Hussain, was residing at Dhoke Qadar Bakhsh, Mauza Natha, in a rented Quarter and they were working as labourer with contractor Gul Khan at Abdullah Town, Islamabad. Complainant Sabir Ali had also come to our quarter two days prior on 18-12-2013. On the said fateful day i.e.


TAHIR ABBAS SIPRA
Addl. Sessions Judge West
Islamabad

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11 NOV 2023

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District & Sessions Courts
(West), Islamabad.

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18-12-2013, he alongwith his cousin Sardar Hussain, was preparing food in the said quarter. At about 4.30 p.m. his brothers Nazaar Ali and Sawar Ali, returned from their work and when they reached in an open area near the said quarter, some unknown accused while armed with Pistols opened straight firing upon them causing their murder. He came out of the quarter on hearing the noise of firing and tried to apprehend the accused but could not succeed. However, he snatched Pistol from one of the unknown accused and the accused himself fled away alongwith magazine. The other accused also fled away after the occurrence. Some unknown accused committed murder of his brothers Zavar Ali and Nazaar Ali. The accused who committed the occurrence were seen by them properly but they never nominated the present accused. The present accused Khalid Khan and Ejaz, were never present at the place of occurrence and they never opened any fire or caused any injury. They are innocent and he has no objection upon their acquittal as well as he does not want to pursue the case to the extent of accused Khalid Khan and Ejaz Ali).

TAHIR ABBAS SIPRA
Addl. Sessions Judge- West
Islamabad

PW-3

Sardar Hussain. (He deposed that he alongwith his cousin Nazaar Ali, Zavar Ali and Moaaz Ali, was residing at Dhoke Qadar Bakhsh, Mauza Natha, in a rented quarter and they were working as labourer with contractor Gul Khan Abdullah Town, Islamabad. Complainant Sabir Ali had also come to

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Examiner Copying Branch
District & Sessions Court
(West), Islamabad

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their quarter two days prior on 18-12-2013. On the said fateful day i.e. 18-12-2013, he alongwith his cousin Moaaz Ali, was preparing food in the said quarter. At about 4.30 p.m. Nazaar Ali and Zawar Ali, returned from their work and when they reached in an open area near the said quarter, some unknown accused while armed with Pistols opened straight firing upon them causing their murder. They came out of the quarter on hearing the noise of firing and tried to apprehend the accused but could not succeed. However, Moaaz Ali snatched Pistol from one of the unknown accused and the accused himself fled away alongwith magazine. The other accused also fled away after the occurrence. Some unknown accused committed murder of Zavar Ali and Nazaar Ali. The accused who committed the occurrence were seen by them properly but they never nominated the present accused. The present accused Khalid Khan and Ejaz Ali, were never present at the place of occurrence and they never opened any fire or caused any injury. They are innocent and he has no objection upon their acquittal as well as he does not want to pursue the case to the extent of accused Khalid Khan and Ejaz Ali).

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11 NOV 2023

Examiner Copying Branch
District & Sessions Courts
(West), Islamabad.

At this juncture, both accused Khalid Khan and Ejaz Ali have filed an application under Section 265-K Cr.P.C. for their acquittal in the instant case. It is argued by the learned counsel for the petitioner/accused that after recording of evidence, there remains no possibility of conviction of the accused, even if the

ATTESTED

Tahir Abbas Sipra
Addl. Sessions Judge, West
Islamabad

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remaining prosecution evidence is summoned and recorded. It is further argued that no offence is made out against the present accused and there is no incriminating material submitted before the Court, hence he may be acquitted in the instant case.

4. A notice was issued to the learned DDP who has opposed the application vehemently. It is argued by the learned DDP for the State that the petitioners/accused are nominated in the FIR with specific role. The petition in hand is not maintainable and the same may be dismissed.

5 Arguments heard. Record perused.

6 The present case was registered upon the statement of Sabir Ali (PW-1), wherein it was alleged that his brothers Nazaar Ali, Zawar Ali, Moaaz Ali, were living in a rented quarter at Dhoke Qadar Bakhsh and on 18-12-2013, accused Rashid, Khalid and Ejaz Ali, opened fire upon his brothers causing murder of Nazaar Ali and Zawar Ali. Admittedly, complainant Sabir Ali, his brother Moaaz Ali and his cousin Sardar Hussain, are the eye witnesses of the occurrence. The complainant of the case Sabir Ali, now appeared as PW-1 and stated that his brothers Zawar Ali and Nazaar Ali, were returning back from their work on 18-12-2013 at about 4.30 p.m. and when they reached at open area near their quarter, some unknown accused opened fire committing their murder. He further stated that the accused who committed the murder were seen by them but they are not the accused Khalid Khan and Ejaz Ali. The complainant exonerated the present accused by stating that the occurrence was committed by some unknown accused. The other witness on ocular account Moaaz Ali and Sardar Hussain appeared as PW-2 & PW-3 respectively. Both of them deposed that the occurrence was


TAHIR ABBAS SIPRA
Sd/- Sessions Judge, West
Faisalabad

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17 NOV 2023

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District & Sessions Court
(West), Faisalabad

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committed by some unknown accused instead of the present accused now facing the trial. All the three PWs on ocular count were declared hostile. They were thoroughly cross-examined by the prosecution but nothing favourable to the prosecution could be extracted through cross-examination. They remained consistent and repeatedly stated that the present accused Khalid Khan and Ejaz Ali are quite innocent. In this way, nothing is available on record on ocular count.

7. Record further reveals that the pre-arrest bails of the present accused/petitioners were confirmed and nothing was recovered from their possession. The complainant of the case has even stated that the police obtained his signatures upon plain papers. He has denied even nomination of these accused through his statement.

8. It is pertinent to mention here that during the alleged occurrence two innocent persons were brutally murdered. PW-1 Sabir Ali and PW-2 Moaaz Ali, are real brothers of both the deceased. PW-3 Sardar Hussian, is cousin of the deceased persons. It is hardly to believe that having such close blood relationship the witnesses deposed falsely and let the actual culprits go free. Furthermore, it is also observed that one of the co-accused Rashid, was arrested previously and he was convicted in the instant case but he has already been acquitted by the Hon'ble High Court. In view of that no incriminating material is available on record against the accused which can be considered sufficient to connect him with the present occurrence. The ocular count has vanished in toto and the remaining evidence is mere corroboratory in nature which is quite insufficient for proving the charge and imparting capital punishment. In these circumstances, I don't find any possibility of conviction of the accused if remaining evidence is summoned.

Tahir Abbas Sifra
Addl. Sessions Judge- West
Islamabad
11 NOV 2013
Examiner
District & Sessions
(West)

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9. The epitome of the above discussion is that the application in hand is hereby accepted and the accused Khalid Khan and Ejaz Ali, are hereby acquitted u/s 265-K Cr.P.C. They are on bail. Their sureties stand released. Case property be dealt with in accordance with law. File be consigned to the record room after its due completion.

Announced.
27-10-2023.


(TAHIR ABBAS SIPRA)
Additional Sessions Judge,
Islamabad(West).


Certified that this order consists of 08 pages, each of which has been dictated, read, corrected and signed by me.



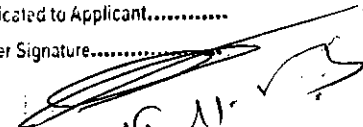

(TAHIR ABBAS SIPRA)
Additional Sessions Judge,
Islamabad(West).

TAHIR ABBAS SIPRA
Addl. Sessions Judge- West
Islamabad

Attachment to be true Copy


Extra Duty Magistrate
District & Sessions Judge
West, Islamabad
11/11/23

Application No: 36174
Date of Application: 11-11-23
Name of Copyist: A.G.I.F.
Date of Preparation of Copy: 11-11-23
No of Pages: 9
Date of Copy: 1.8.
Urgent Fee: 19
Branch for VPP or Registration fees.....
Date Communicated to Applicant.....
Date and Deliver Signature.....


15.11.23

بخدمت جناب انسپکٹر جنرل آف پولیس خیبر پختونخواہ

مضمون: محکمہ اپیل بر خلاف آرڈر نمبری EF/76-6170 مورخہ 13.05.2014 جسکی بناء پر سائل کو

ملازمت سے درخواست کیا گیا ہے۔

جناب عالی!

سائل حسب ذیل عرض رساں ہے:-

1. یہ کہ سائل سال 2007ء کو محکمہ پولیس میں بطور کنسٹیبل بھرتی ہو کر بلوچ رجمنٹ سنٹرائیٹ آباد سے ریکروٹ کورس پاس کیا ہے۔
 2. یہ کہ سائل ایلیٹ فورس میں مردان ریجن کے پلاٹون نمبر 30 میں تعینات تھا۔ دوران ڈیوٹی سائل کے خلاف بے گناہ اور بے بنیاد دعوہ داری بحوالہ مقدمہ علت 619 مورخہ 18.12.2013 جرم PPC 34/302 تھانہ سبزی منڈی اسلام آباد درج رجسٹر ہو کر سائل نے اس وقت اپنے سینئر افسران کو پیش ہو کر اپنے بے گناہی سے آگاہ بھی کر دیا کیونکہ بروز وقوعہ اور بوقت وقوعہ سائل ڈیوٹی پر موجود تھا مگر کوئی بھی شنوائی نہ ہو کر مخالفین کی سینہ زوری اور ثرور سوخ اور ظلم سے بچنے کی خاطر سائل نے اپنے اہل و عیال بنفس نفیس محفوظ اور پرامن مقام منتقل ہو کر علاقہ میں سکونت ترک کر دی۔
 3. اس دوران سائل کے خلاف محکمہ کارروائی ہو کر سائل کے خلاف یکطرفہ کارروائی عمل میں لائی جا کر سائل کو ملازمت سے درخواست کیا گیا۔
 4. اب سائل نے مشران اور معززین علاقہ کی رو سے فریقین کے مابین تسلی کر کے جس کی بناء پر عدالت مجاز نے سائل کو بحوالہ فیصلہ مورخہ 27.10.2023 مقدمہ میں بری کر دیا گیا۔
 5. یہ کہ دوران انکوائری سائل سہمت کا اور نہ ہی جرح کرنے کا موقع دیا گیا ہے۔
- سائل ایک غریب اور جو نئیر اہلکار ہے تنگ دستی اور معاشی بد حالی کا شکار ہے اس لئے درخواست ہے کہ درج بالا حقیقت کو مد نظر رکھ کر سائل کو ملازمت پر دوبارہ بحال کرنے کا حکم صادر فرما کر مشکور فرمائیں۔

العارض

آپ کا تابعدار محمد خالد سابقہ کنسٹیبل نمبر 153 ایلیٹ فورس خیبر پختونخواہ، موبائل نمبر: 0347-8955957

ATTESTED



No. 18970-81/EF

Dated: 26/12/2023.

ORDER

19

This order will dispose of the departmental appeal preferred by Ex-Constable Khalid No. 153 who was awarded the major punishment of "Dismissal from Service" by Deputy Commandant Elite Force Khyber Pakhtunkhwa vide order No. 6170-76/EF, dated 13.05.2014.

Short facts leading to the instant appeal are that the delinquent official while posted in Elite Platoon No. 30 was charged in Case FIR No. 69, dated 18.12.2013 U/S 302/34/PPC PS Sabzi Mandi Islamabad and also remained absent w.e. from 19.12.2013 to 13.05.2014 for a total period of 145 days).

He was issued Charge Sheet and Summary of Allegations and DSP Elite Force Mardan was appointed as Enquiry Officer to scrutinize the conduct of the accused official. He failed to appear before the Enquiry Officer. He was issued Final Show Cause Notice but he also failed to submit his reply. The competent authority in light of the recommendation of the enquiry officer awarded him the above major punishment.

He feeling aggrieved preferred an appeal to Worthy Inspector General of Police Khyber Pakhtunkhwa which was sent to this office for disposal on merit being the first appellant authority.

He was heard in person in OR and the relevant record alongwith his explanation perused. During personal hearing he failed to submit any plausible justification in his defense. His appeal is badly time barred for more than 09 years, hence, rejected.

(Signature)

(MUHAMMAD WISAL FAKHAR SULTAN)PSP, QPM
Addl: Inspector General of Police
Elite Force Khyber Pakhtunkhwa Peshawar

Copy to the:

1. Addl: Inspector General of Police HQrs: Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police HQrs: Khyber Pakhtunkhwa Peshawar.
3. Deputy Commandant Elite Force / RRF Khyber Pakhtunkhwa.
4. SP HQrs: Elite Force Peshawar.
5. Registrar CPO Peshawar w/r to his office letter No. S/2840/23, dated 13.12.2023.
6. Secret Branch CPO Peshawar.
7. EC/OASI Elite Force Peshawar.
8. Fmc, Sec. d Accu EF

Encls File

ATTESTED



Annexure J
OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.
Phone: 091-9210927

No. S/ 127 /24, dated Peshawar the 17/01/2024. (20)

To: The Addl: Inspector General of Police,
Elite Force,
Khyber Pakhtunkhwa, Peshawar.

Subject: - REVISION PETITION

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-FC Muhammad Khalid No. 153 of Elite Force against the punishment of dismissal from service awarded by Deputy Commandant Elite Force vide Order Endst: No. 6170-76/IF, dated 13.05.2014 being badly time barred.

The applicant may please be informed accordingly.




(AFSAR JAN)

Registrar,

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

ATTESTED

Encl: 1/10

پشاور بار ایسوسی ایشن، خیبر پختونخواہ	24930	50 روپے
  	ایڈویکٹ: <u>محمد المنظم خاں ایڈووکیٹ ہائی کورٹ سکریٹری</u>	
	بار کونسل ایسوسی ایشن نمبر: <u>bc-11-1319</u>	
	رابطہ نمبر: <u>03009027239</u>	

بغداد جناب: سر ڈسٹرکٹ جج

مخانب: ایڈووکیٹ	دعویٰ: <u>سر ڈسٹرکٹ جج</u>
خالصہ	علت نمبر: _____
بنام	مورخہ: <u>16-02-24</u>
حکومت گلگت بلتستان	جرم: _____
	تھانہ: _____

باعت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ آن مقام سید کیلئے محمد المنظم خاں ایڈووکیٹ ہائی کورٹ سکریٹری کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کالچ اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقریر ثالث اور فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زیریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل بگڑانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لے جانے کے لئے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ برادارہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جائزہ التوائے مقدمہ کے سبب سے ہوگا کوئی تازہ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب باہندانہ ہوں گے کہ پیروی مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 16/02/2024

مقام: _____

ABC

نوٹ: اس وکالت، سر کی نوٹ کو کاپی ناقابل قبول ہوگی۔